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Date:	May 29, 2007	Total Pages: 6 including cover sheet
To:	Commissioner for Patents	
Attn.:	Mail Stop AMENDMENT Art Unit 2621 Examiner Abolfazi Tabatabai	
Fax No.:	1 (571) 273-8300	
From:	Sue Ellen Phillips, Reg. No. 32,046	
Re:	U.S. Serial No. 10/616,366; filed July 09, 2003 Attorney Docket No.: A2247-US-CIP XERZ 2 00563-3	

COMMENTS:

Certificate of Transmission	
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May 29, 2007 Date	Mary M. Schriner By: Mary M. Schriner

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PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS	:	Richard Bruce, et al.	RECEIVED CENTRAL FAX CENTER
TITLE	:	APPARATUS AND METHOD FOR DETECTING AND LOCATING RARE CELLS	MAY 29 2007
APPLICATION NO.	:	10/616,366	
FILED	:	July 09, 2003	
CONFIRMATION NO.	:	2319	
EXAMINER	:	Abolfazi Tabatabai	
ART UNIT	:	2621	
ATTORNEY DOCKET NO.	:	A2247-US-CIP XERZ 2 00563-3	

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Letter

Dear Sir:

Responsive to a telephone conference with Examiner Tabatabai during the week of May 16, wherein the examiner indicated that a double-patenting rejection would be issued based on U.S. Patent No. 7,113,624, from which this application claims priority, applicants have reviewed the patent and forward a terminal disclaimer herewith.

Respectfully submitted,

FAY SHARPE LLP

May 29, 2007
 Date


Sue Ellen Phillips, Reg. No. 32,046
 1100 Superior Avenue, 7th Floor
 Cleveland, OH 44114-2579
 216-861-5582

CERTIFICATE OF MAILING OR TRANSMISSION	
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<u>May 29, 2007</u> Date	<u>Mary M. Schriner</u> By: Mary M. Schriner